



RESOLUTION

AUTHORIZING THE RELEASE OF THE CITY'S REVERSIONARY INTEREST IN LAND ON SARGENT AVENUE AT SHEET 64, LOT 110

CITY OF NASHUA

In the Year Two Thousand and Five

RESOLVED by the Board of Aldermen of the City of Nashua that

WHEREAS, in 1869 the City acquired tracts of land in the vicinity of Artillery Pond for the North Common;

WHEREAS, subsequently the City subdivided and conveyed land not needed for North Common;

WHEREAS, by deed recorded in Book 490, Page 524, the City conveyed a parcel identified as Lot #14 on plan of City lots, North Common on file at office of City Clerk containing the following language:

“Said lot is conveyed subject to and hereafter is to be held upon the following conditions, viz: that any house built on said lot shall not be less than two stories in height; shall be set back a distance of not less than twenty-five feet, 25 ft. from the front line of the lot and no more nor other than one dwelling house shall be erected or maintained on said lot; and in the case of violations on the part of said grantee or his heirs or assigns at any time hereafter of any of the foregoing conditions, this conveyance shall become void, the premises hereby conveyed shall become forfeited and shall be surrendered up to the City of Nashua, to which, in such case they shall revert.”

WHEREAS said property is identified as land on Sargent Avenue at Sheet 64, Lot 110, now owned by Donald and Michele Bernard, who request that the City release the City's reversionary interest created by the deed language stated above.

NOW THEREFORE, BE IT RESOLVED by the Board of Aldermen of the City of Nashua that the Mayor is authorized to execute on behalf of the City appropriate instruments to release any and all rights the City may have, at law or in equity, including any reversionary interest, which it may have or which arises out of or was created by the language stated above, but subject to the rights, if any, of third parties, in property at land on Sargent Avenue at Sheet 64, Lot 110.

This resolution shall become effective at the time of passage.